

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,

Plaintiff,

v.

HAOYANG YU,

Defendant.

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) Criminal Action No.
) 1:19-cr-10195-WGY-1
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BEFORE THE HONORABLE WILLIAM G. YOUNG, DISTRICT JUDGE

JUDGE'S FINDINGS

Thursday, June 1, 2023
10:36 a.m.

John J. Moakley United States Courthouse
Courtroom No. 18
One Courthouse Way
Boston, Massachusetts

Robert W. Paschal, RMR, CRR
Official Court Reporter
rwp.reporter@gmail.com

1 (Imposition of sentence.)

2 THE COURT: Mr. Haoyang Yu, pursuant to
3 18 United States Code, Section 3553(a), the information from
4 the United States Attorney, your attorney, the probation
5 officer, and yourself, this Court sentences you to six months
6 in the custody of the United States Attorney General. You
7 will have credit towards the service of that sentence for the
8 six days you have already spent in custody.

9 Thereafter, the Court places you on probation for a
10 period of three years, with all the general and special
11 conditions of probation that appear on pages 24 and 25 of the
12 presentence report, with the following additional special
13 condition of probation: that you not work in the microchip
14 industry during the period of your supervised release.

15 The Court imposes upon you a fine of \$55,000. The
16 Court imposes a special assessment of \$100, as required by
17 the law. The matter of restitution will be continued for not
18 more than 90 days. The parties -- the Court will entertain
19 submissions as to restitution on the papers and will schedule
20 a hearing if the hearing is necessary.

21 Let me explain the sentence to you. When all is
22 said and done, you committed a serious crime. The Court has
23 sentenced you for that crime and nothing else whatsoever.
24 The theft of the particular materials in the count of
25 conviction warrants the sentence the Court has imposed.

1 Contrary to the always skilled argument of your
2 attorney, this Court believes that the sentence of
3 confinement is necessary in our society to express that this
4 is truly a crime, not some sort of civil offense under
5 another guise. It is a fair and a just sentence.

6 You have the right to appeal from any findings the
7 jury or this Court has made against you. Should you appeal
8 and should your appeal be successful in whole or in part and
9 the case remanded, you'll be resentenced before another
10 court.

11 He will report to the place of confinement. You
12 have no objection to self-reporting?

13 MS. BECK: No.

14 THE COURT: He'll report to the place of
15 confinement on Thursday, the 13th of July, 2023.

16 That's the sentence of the court.

17 We'll call our next case.

18 MR. FICK: Your Honor, just -- we intend, I think,
19 to probably seek release pending appeal given the myriad of
20 issues, many of which the Court has recognized as being not
21 insubstantial. And so we can make a written submission on
22 that, but given the length of the sentence in particular,
23 it's unlikely the appeal will be finished in fewer than
24 six months.

25 THE COURT: Well, my inclination is to deny it, I

1 will tell you. So I think it probably makes sense for you to
2 put it in writing, and I will reflect on it.

3 MR. FICK: Thank you, Your Honor.

4 THE COURT: I've imposed the sentence because I
5 believe it is a fair and a just sentence and that a sentence
6 of confinement is what is warranted here; however, you have
7 every right to file that motion, and I think the two of you
8 need to file it in writing.

9 MR. FICK: Thank you, Your Honor.

10 THE COURT: Very well.

11 All right. We'll call the next case.

12 MS. BECK: Thank you, Your Honor.

13 (Matter in recess at 11:32 a.m.)
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